

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Gregory Wayne Keefer,)	C/A No.: 1:18-92-SVH
)	
Plaintiff,)	
)	
vs.)	
)	ORDER
Andrew M. Saul, ¹)	
Commissioner of Social Security)	
Administration,)	
)	
Defendant.)	
)	

This matter is before the court on Plaintiff's motion for attorney's fees. [ECF No. 23]. The parties consented to the undersigned's disposition of this case [ECF No. 14], and on August 17, 2018, the matter was referred to the undersigned by order of the Honorable Timothy M. Cain, United States District Judge [ECF No. 15]. On August 5, 2019, the court reversed the Commissioner's decision that had denied Plaintiff's claims for Disability Insurance Benefits. [ECF No. 21]. Plaintiff then filed and documented a request totaling \$2,531.66 for fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412 ("the EAJA"). [ECF No. 23]. The Commissioner filed a response in support of Plaintiff's motion. [ECF No. 24]. Accordingly, the court grants Plaintiff's motion and directs the Commissioner to pay Plaintiff

¹ Andrew M. Saul became the Commissioner of the Social Security Administration on June 17, 2019. Pursuant to Fed. R. Civ. P. 25(d), Saul is substituted for Nancy A. Berryhill.

\$2,531.66. Such payment shall constitute a complete release from and bar to any and all further claims that Plaintiff may have under the EAJA to fees, costs, and expenses incurred in connection with disputing the Commissioner's decision. This award is without prejudice to the rights of Plaintiff's counsel to seek attorney fees under section 206(b) of the Social Security Act, 42 U.S.C. § 406(b), subject to the offset provisions of the EAJA.

Under *Astrue v. Ratliff*, 130 S.Ct. 2521, 2528–29 (2010), EAJA fees awarded by this court belong to Plaintiff and are subject to offset under the Treasury Offset Program (31 U.S.C. § 3716(c)(3)(B) (2006)). Therefore, the court orders the EAJA fee to be made payable to Plaintiff and mailed to the business address of Plaintiff's counsel.²

IT IS SO ORDERED.



November 14, 2019
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge

² Plaintiff's counsel may disburse these funds to satisfy valid liens or in accordance with a lawful assignment.